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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/350,144	07/09/1999	KAZUNORI TAKAHASHI	21.1935	7639

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EXAMINER

CHEVALIER, ROBERT

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 11/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/350,144

Applicant(s)

TAKAHASHI, KAZUNORI

Examiner

Bob Chevalier

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 July 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6-16, 18-27, are rejected under 35 U.S.C. 102(b) as being anticipated by Okamoto et al.

Okamoto et al discloses a video recording/reproducing apparatus that shows all the limitations recited in claims 1, 13, and 19, including the feature of detecting a copy guard signal included in an input video signal (See Okamoto et al's Figure 1, component 7), the feature of digitizing the input video signal (See Okamoto et al's Figure 1, component 6), the feature of processing screen information digitized by the video decoding circuit (See Okamoto et al's Figure 1, components 2-3), and the feature of storing the screen information processed to a storage device in a case where the copy guard detecting circuit detects a copy guard signal as specified in the present claims 1, 13, and 19. (See Okamoto et al's Figure 1, component 14, and 1, and column 3, lines 9-18).

With regard to claims 2, 14, 20, and 26, the feature of preventing from storing screen information digitized by the video decoding circuit to a storage device in the case where the copy guard detecting circuit detects the copy guard signal as specified thereof is present in Okamoto et al. (See Okamoto et al's column 3, lines 22-25).

With regard to claims 3, 15, and 27, the feature of storing to a storage device both screen information digitized and the detected copy guard signal as specified thereof is present in Okamoto et al. (See Okamoto et al's column 3, lines 38-43).

With regard to claim 4, the feature processing the screen information in the case where an output of screen information stored in the storage device is ordered as specified thereof is present in Okamoto et al. (See Okamoto et al's Figure 1, components 2-3).

With regard to claims 6, 18, and 21, the feature of adding copy guard signal to the output of screen information stored at the storage device, encoding and outputting a video signal as specified thereof is present in Okamoto et al. (See Okamoto et al's Figure 1, components 3-5).

With regard to claims 7, 10, and 22, the feature of encoding the video signal processed by the image processing circuit and outputting the video signal as specified thereof is present in Okamoto et al. (See Okamoto et al's Figure 1, component 3, and column 2, lines 50-52).

With regard to claims 8, 11, and 23, the feature of preventing the video encoding circuit from outputting the video signal in the case the copy guard detecting circuit detects the copy guard signal as specified thereof is present in Okamoto et al. (See Okamoto et al's column 3, lines 22-25).

With regard to claims 9, 12, and 24, the feature of video encoding circuit adding a copy guard signal in the case where the copy guard detecting circuit detects the copy

guard signal, encoding and outputting a video signal as specified thereof is present in Okamoto et al. (See Okamoto et al's column 3, lines 38-43).

With regard to claim 16, the feature of processing the screen information stored at the storage device and outputting a video signal of the screen information processed as specified thereof is present in Okamoto et al. (See Okamoto et al's Figure 1, components 11, and 13).

With regard to claim 25, the feature of processing screen information digitized out of the input video signal in the case where the copy guard signal is detected as specified thereof is present in Okamoto et al. (See Okamoto et al's Figure 1, components 4, 3, and 2).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al in view of the submitted prior art of Kitazawa Hiroaki (P.N. 09083920).

Okamoto et al discloses a video recording/reproducing apparatus that shows substantially the same limitations recited in claims 5, and 17, including the feature of storing to a storage device both screen information signal and copy guard signal and reproducing the stored signals from said storage device as specified in the present

claims 5, and 17. (See Okamoto et al's column 3, lines 38-43, and Okamoto et al's Figure 1, components).

Okamoto et al fails to specifically disclose the feature of preventing the video encoding circuit from outputting the video signal in the case where an output of screen information stored in the storage device is ordered as specified in the present claims 5, and 17.

The submitted prior art Kitazawa Hiroaki does disclose a reproducing apparatus which includes the capability of preventing a video encoding circuit from outputting an inputted video signal received from a storage device based on copy guard signal as specified in the present claims 5, and 17. (See Kitazawa's Figure 1 and the corresponding disclosure).

It would have been obvious to one skilled in the art to modify the Okamoto et al's recording/reproducing apparatus wherein the reproducing means/encoding means provided thereof (See Okamoto et al's Figure 1, components 2, and 3) would incorporate the capability of preventing the encoding means from outputting the video signal in the case where an output of screen information stored in the storage device is ordered in the same conventional manner as shown by Kitazawa Hiroaki. The motivation being to prevent unauthorized viewing of the reproduced video signal as suggested by Kitazawa Hiroaki.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 703-305-

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4780. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

B. Chevalier  
November 5, 2002

  
ROBERT CHEVALIER  
PRIMARY EXAMINER